ORDINANCE NO. 5

Series, 1965

AN ORDINANCE REGULATING SEWER CONNECTIONS IN THE CITY OF ELGIN, OREGON; PRESCRIBING THE METHOD, MANNER, AND PLACE IN WHICH LATERAL SEWER CONNECTIONS MAY BE MADE AND PUBLIC SEWERS OPENED AND PENETRATED; DEFINING THE TERMS USED HEREIN; PROVIDING FOR PENALTIES FOR VIOLATIONS OF THIS ORDINANCE; AND DECLARING AN EMERGENCY.

THE CITY OF ELGIN DOES ORDAIN AS FOLLOWS:

Section 1: Definition of Terms.

As used in this ordinance the following terms shall mean and are used as herein defined:

(A) "Sewer Inspector" shall mean such person as is appointed by the City Council, or his duly authorized assistant or agent, shall be in charge of supervision and inspection of all plumbing and sanitary installations and sewer connections within the City of Elgin.

(B) "Sewer System" shall mean all the facilities for collecting, pumping, treating, and disposing of sewage.

(C) "Sewers", unless otherwise indicated, shall mean the sanitary sewers, all publically owned sewers and drains.

(D) "Sanitary Sewer" shall mean all sewers designed and constructed by the city for the purpose of conveying domestic waste or combine domestic waste and industrial waste, requiring treatment before depositing in the natural waterways, and to which storm, surface and ground waters are not intentionally admitted.

(E) "Sanitary Sewer Connection" as used in this ordinance shall mean the actual physical connection to the city sanitary sewer system and shall include that part of the horizontal piping of a drainage system beginning at a point five feet from the foundation wall or structure, which will receive the waste discharged from said building or structure, and convey the same to a sanitary sewer system.

(F) "Garbage" shall mean solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

(G) "Properly Shredded Garbage" shall mean the waste from the preparation, cooking and dispensing of food that has been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one half inch in any dimension.

(H) "Person" shall mean all natural persons of either sex and all associations, preparations, co-partnerships, firms, companies, societies, or groups whether acting by themselves or by or through a servant, employee or agent, and the singular shall include the plural, and the masculine shall include the feminine.

Section 2:

Entrance into any sewer line, or the opening of any part thereof, for any purpose whatever, except by persons duly authorized by the City Council, is strictly prohibited.

Section 3:

No storm, surface or ground waters shall be permitted to drain into the sanitary sewers. However, basement floor drains shall be properly trapped and connected into the sanitary sewers, providing such basement floor drains are not used to drain storm, surface or ground waters.

Section 4:

The following uses of the sanitary sewer are prohibited:

(A) No persons shall discharge or cause to be discharged into the sanitary sewer any liquid or waste material which contains more than one hundred parts per million, by weight, of fat, oil, or grease.

(B) No persons shall discharge or cause to be discharged into the sanitary sewers any gasoline, benzene, neptha, fuel oil, or any other inflammable or explosive liquid, solid or gas.

(C) No persons shall discharge or cause to be discharged into the sanitary sewer any garbage that has not been properly shredded.

(D) No persons shall discharge or cause to be discharged into the sanitary sewer any ashes, cinders, sand, mud, straw, shavings, metal, rags, feathers, plastics, wood pulp, manure, or any other solid or viscous substance capable of causing an obstruction to the flow in said sewer, or which will in any manner interfere with proper operations of the sewer system.

(E) No persons shall discharge or cause to be discharged into the sanitary sewer any liquid or waste of any kind containing any caustic or corrosive property which is capable of causing damage or hazard to any part of the sanitary sewer system or to any personnel operating the same.

(F) No persons shall discharge or cause to be discharged into the sanitary sewer any materials containing toxic or poisonous substances in sufficient quantity to injure or interfere with the sewage treatment process, or which constitutes a hazard to human or animal life, or which creates a hazard in the receiving waters of the sewage lagoon.

(G) No persons shall discharge or cause to be discharged into the sanitary sewer any discharge from any septic tank or from any drain field.

(H) No persons shall discharge or cause to be discharged into the sanitary sewer any material whatsoever into the sanitary sewer having a temperature in excess of 170 degrees farenheit.

(I) No persons shall discharge or cause to be discharged into the sanitary sewer any waste of any kind containing suspended solids of such character and quality that unusual attention or unusual expense is required to handle such material either within the sanitary sewer line or within the sewage lagoon.

(J) No persons shall discharge or cause to be discharged into the sanitary sewer any noxious or malodorous substance of any kind which is capable of creating a public hazard or a public nuisance.

(K) No sewer and domestic water line shall be run in the same trench. Any sewage disposal line crossing or within five feet of domestic water line shall be run in cast iron pipe with picked oakum and molten lead joints. Lead to be a minimum of one inch deep.

Section 5: Manner of Connecting With Sewer.

It shall be unlawful and a violation of this ordinance for any person to connect to any premises to a sewer or for any person to suffer or permit any premises under his ownership or control to be connected to a sewer, except as in this ordinance provided.

Section 6: Application for Connection Permit, Conditions and Fees.

Every person desiring to connect or required by an ordinance to connect his premises with a sewer shall apply either personally or by his agent to the City Recorder of Elgin for a permit so to do. Said application shall give the name and address of the owner of the premises to be connected; and it shall state the number and kind of buildings on the premises and the purpose for which they are to be used, and the number of sewer openings on the premises to be served. Said application shall be accompanied by a fee of $5 for every connection to the municipal sewer system. Said application shall also contain a statement containing the name of the person who is to construct the proposed lateral and connection with the sanitary sewer. Said fee shall be paid into the City's sewer sinking fund.

Section 7: Issuance of Connection Permit.

The Sewer Inspector, upon the filing of said application as hereinabove provided for, shall examine the same and may require such changes or modifications in the specifications and proposed construction as shall be necessary to make it conform to city ordinances and regulations covering sewers in the City of Elgin. The Sewer Inspector shall, if the application be in order and accompanied by the proper fees, then designate the point and manner in which the proposed connections shall be made with the sewer and issue a permit for the same, which shall authorize such connection, as outlined and in the manner provided, all within any time within the next thirty days from the date it bears, or such further time as the Sewer Inspector may grant for unavoidable delays.

Section 8: Sewer Openings: Where connections shall be made.

Sewers shall be permitted to be opened and connections made therein as hereinafter prescribed, and not otherwise.

(A) Every person shall be required to construct his own lateral at his own expense to the location of the sanitary sewer, and to make such connections with the sanitary sewer as herein provided, at the "Y" designated by the Sewer Inspector. Every person shall be required to make his own connection and construct his own lateral at his own expense to such point at the sanitary sewer as is designated by the Sewer Inspector both as to the place and depth, and the decision and designation of the Sewer Inspector shall be final. Ordinarily, the point of such connection shall be the closest point from the existing sewer line to the property line of the applicant.

Section 9: Sewer Connections Regulations for Construction and Laying the Same.

All connections to be hereafter made to sewers shall be made and constructed of the materials and in the manner hereinafter set forth.

(A) Materials. All lateral sewers shall be constructed of either cast-iron soil pipe, asbestos cement pipe, vitrified clay pipe or cement concrete sewer pipe, and shall in no event be less than four inches in diameter, inside measurement. All pipes shall be of a quality, and constructed in conformity with the standard specifications for such pipe as established by the American Society for Testing Materials.

(B) Jointing. Cement concrete and vitrified clay sewer pipes shall be bell and spigot type, and shall be jointed with a rubber or neoprene ring gasket, approved by the Sewer Inspector. Where pipe sections must be cut to provide for special length sections, a suitable concrete collar may be used, subject to the approval of the Sewer Inspector. Asbestos cement pipe shall be joined with a rubber or neoprene ring as recommended by the manufacturer. Cast-iron soil pipe shall be jointed with picked oakum and lead. All joints shall be made water and gas tight, and shall be tested to the satisfaction of the Sewer Inspector before the installation is approved by him and put into service.

(C) Workmanship. All work shall be done and connections made in a workmanlike manner and shall be subject to the approval of the Sewer Inspector.

All connections shall be laid to a uniform grade of not less than one fourth inch to one foot, providing that, with the approval of the Sewer Inspector, the fall per foot may be reduced to the minimum grade permitted by the State Board of Health of the State of Oregon, for the various diameter piping.

All changes in the directions of any sewer shall be made by bends and other suitable fittings, all of which shall conform to standards prescribed by the State of Oregon.

Each pipe section shall be carefully bedded as laid and shall be covered with fine earth or sand, free from rocks and thoroughly packed to prevent settlement or other movement of the pipe.

Vitrified clay pipe, cement concrete pipe or asbestos cement pipe shall not be laid upon any filled or made ground without the permission of the Sewer Inspector, and in no event without the construction of a suitable mat or bearing material to hold the pipes rigid, and in the event that the Sewer Inspector shall determine that the construction of said mat or bearing material is impracticable, then cast-iron scil pipe shall be used.

Trench excavation made below grade shall be back filled with crushed rock or gravel to provide a stable base and prevent settlement of the sewer lines.

(D) The opening of a street or public place to gain access to the sanitary sewer and the depositing of the dirt and excavation shall be in such manner as will cause the least inconvenience to the public and so as to provide free passage of surplus drainage. All sidewalks should be tunneled instead of cut wherever possible. One half of the street must be kept open for the passage of vehicles at all times, and where the sidewalk has been cut or an excavation occurs where the public travels, bridges and guardrails must be provided on the sidewalks for foot passengers.

(E) In refilling the trenches the earth must be deposited in layers not more than six inches in depth and well tamped to prevent after-settlement and shall be puddled in with water under the directions of the Sewer Inspector. As soon as the sewer or drain is completed, the paving or macadamizing and the sidewalk and parking

must be restored to as good a condition as they were in previous to the excavation and all rubbish and surplus earth removed.

(F) Sewer pipe intended to carry any type of sewage, of any material other than cast-iron, shall not be laid under any building or near than five feet to the exterior wall of any building.

(G) Sewer pipes other than cast-iron, wherever the conformation of the ground permits, shall be laid at least two feet below the surface of the ground. Pipes laid with less than thirty inches of cover under driveways or other areas subjected to vehicular traffic shall be extra heavy cast-iron pipe.

(H) All sewer lines shall be laid upon as direct align to the sewer as possible.

(I) All work and excavations shall have proper warning signs, and lights shall be properly posted warning the traveling public of the existance of said excavations during the entire construction and until completely refilled and restored.

Section 10: Laterals and Connections to be Laid Under Instructions and Supervision of Sewer Inspector.

All work done in connection with any permit and the construction or installation of any sewer connection shall be done under the inspection and subject to the approval of the Sewer Inspector, and shall be inspected and approved by him before the same is covered. Any sewer that is covered before it is inspected and approved, shall be reopened, at the sole expense of the applicant in such a manner as to be sufficient to permit a thorough inspection of the work. Any work found to be deffective or not in conformity with provisions of this ordinance shall be removed and replaced in a manner and with materials as herein specified. All such work shall be completed within forty-eight (48) hours from the date designated as the beginning date on such permit, excluding, however, Saturdays, Sundays and other holidays.

Section 11: Persons permitted to Install Connections with a Sanitary Sewer.

It shall be unlawful for any person other than a plumber, licensed by the State of Oregon as such, or an officer, or employee of the City of Elgin, to make any opening in any sanitary sewer owned and operated by the City of Elgin, or to connect any private sewer therewith.

Section 12: Owners Permit.

Nothing in this ordinance shall be construed as prohibiting a bona fide owner or a member of his family from personally installing or repairing of the sewer connected to his building and located upon his premises providing such building is a residence and is used for the occupancy of himself and his family as a dwelling place and providing further that any such installation or repair work shall meet the requirements of this ordinance in all respects, and shall pass the inspection of the Sewer Inspector or other authorized agents of the city.

Section 13: Permit Required for Opening Street or Public Way.

Before opening any street, ally, or public way, the City Recorder shall require a cash deposit sufficient to cover the cost of back filling the trench and restoring the street, ally, or other public way to its original condition. A permit may be issued by the City Recorder for the opening of a street, ally, or public way upon payment of said cash deposit, but the Sewer Inspector may in his sole judgment determine the manner in which the excavation is to be made.

Section 14:

The Sewer Inspector, or any city employee charged with the enforcement of this ordinance, and acting in good faith and without malice on behalf of the city and in the discharge of his duties, shall not thereby render himself liable personally to any person whomsoever; and said Sewer Inspector, or any other city employee working on behalf of the city under the provisions of this ordinance, and each of them, are hereby relieved from all personal liability for any damage that may accrue to any person or to any property as the result of any act or omission in the discharge of their duties. Any suit or action brought against the Sewer Inspector or any other city employee, working under the provisions of this ordinance, because of any such act or omission performed by him in the enforcement of this ordinance, shall be defended by the legal departments of the City of Elgin, and until final termination of the entire proceedings. The Sewer Inspector may request, and shall receive so far as may be necessary in the discharge of his duties, the assistance and cooperation of all other officials of the city.

Section 15:

Upon the presentation of proper credentials, the city Sewer Inspector, or any other employee of the City of Elgin working under the provisions of this ordinance, may enter, at any reasonable time, any building structure or premises within the city limits of the City of Elgin, to perform any duty imposed upon such employee by this ordinance.

Section 16:

It shall be a condition precedent to the approval of any lateral sewer connection to any premises from the sanitary sewer lines, that all underground sewer piping within a building, or within five feet of the exterior of any such building, shall be of cast-iron piping and watertight; that each such building shall have at least one vent, of not less than three inch pipe size, extended twelve inches above the roof line; all changes in existing waste piping required in and under shall be accomplished in conformity with the laws of the State of Oregon.

Section 17:

No cesspool, septic tank or dry well may be replaced upon any premises within the City of Elgin from and after the date of this ordinance, but all such premises must be connected to the sanitary sewer system when any such cesspool, septic tank or dry well becomes unusable. Therefore, whenever any such cesspool, septic tank or dry well shall pass unto such disuse, the same shall be uncovered and filled with dirt. Such dirt fill shall be inspected and approved by the Sewer Inspector prior to the back filling of the same.

Section 18:

If any Section, Sub-Section, sentence, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional, such decisions shall not effect the validity of the remaining portions of this ordinance. The Council does hereby declare that it would have passed this ordinance, and each Section, Sub-Section, clause, sentence, or phrase thereof, irrespective of the fact that any one or more Sections, Sub-Sections, sentences, clauses, and phrases be declared to be unconstitutional.

Section 19:

Any person who shall violate any of the terms of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall, in addition to the other remedies herein provided, be subject to a fine of not less than $10 or more than $500, or by imprisonment in the city jail for not less than five days or more than one hundred days, or by both such fine and imprisonment.

Section 20:

Inasmuch as the City of Elgin is constructing and installing a new and complete sewer system both inside and outside of corporate boundaries of said city and regulations in connection therewith are imparative in order to protect the health, safety and welfare of the citizens of Elgin, and considering that there is an urgent and immediate need for provisions and regulations prescribed by this ordinance in the making of connections to said sewer system an emergency is hereby declared to exist and this ordinance shall take effect and be in full force and effect immediately upon its passage and adoption by the Council and its signature by the Mayor of said city.

PASSED by the City Council this 28th day of June, 1965.

APPROVED by the Mayor this 28th day of June, 1965.

Lyle C. Lake
Mayor

ATTESTED and filed this 28th day of June, 1965.

Estal Hunt
City Recorder